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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,473	03/01/2004	Mark R. Bunker	SBCK 0101 PUS (SW 1001)	9933
22045	7590	12/30/2005	EXAMINER	
BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			DEANE JR, WILLIAM J	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/790,473	Applicant(s) BUNKER, MARK R.	
	Examiner William J. Deane	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0167946 (Gallant).

With respect to claims 1, 12 and Gallant teaches a system for restricting telephone calls from a facility having a facility phone (see paragraph 0011), a switching office (Fig. 1), a destination phone (Fig. 1), note that the call is disabled (Abstract Figs. 3A and 3B), note that the call is disabled based on the facility (paragraph 0058, 0089 – 0092, 0096 – 0097, 0108 and Figs. 6 – 8. Though not explicitly saying serial, such is believed to be inherent. If not, such would be obvious to one of ordinary skill in the art as connecting devices in serial or parallel is old and well-known in the art.

With respect to claims 2, 13 and though three-way calling is not mentioned, it would have been obvious to one of ordinary skill in the art to have included three-way calling as such would only entail including or substituting one well-known feature for another.

With respect to claims 3 and 14, note Abstract.

With respect to claims 4 and 15, such is obvious in view of the above.

With respect to claims 5 – 6, 16 and 17, note paragraphs 0027 – 0028.

With respect to claims 7 – 9, 18 – 20, in light of Gallant, it would have been obvious to use 1 or 2 control signal depending on where the proxy server and or location server is placed. With respect to a processor, note Fig. 9

With respect to claims 10 and 21, note Fig. 6

With respect to claims 11 and 22, note paragraph 0011.

With respect to claims 23 – 24, such is obvious in view of the above and a fair reading of Gallant.

Response to Arguments

Applicant's arguments filed 10/03/05 have been fully considered but are not deemed persuasive to any error in the rejection above.

Applicant appears to be saying that Gallant is only concerned with calls from a first user and a second user and blocking only between these two users. However, note Paragraphs 0010 – 0012, 0070 - 0077. This is the problem that Gallant is trying to solve. In addition, note the Summary. The User Profile Table and the Screening Table in Fig 6. is how Gallant solves the problem. Additionally, note paragraph 0015. Lastly, note the Abstract. In particular, "means are disclosed for ensuring that invocation of redirect features, such as call forwarding, do not circumvent call blocking settings


Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see the Abstracts and Figs. of the Patents and Patent Applications cited on the enclosed 892).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (571) 272-7484. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (571) 273 - 8300.

26Dec2005


WILLIAM J. DEANE, JR.
PRIMARY EXAMINER